

Uranium Watch

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June 18, 2013

via electronic mail

Mr. Bryce Bird
Director
Division of Air Quality
Utah Department of Environmental Quality
P.O. Box 144820
Salt Lake City, Utah 84114 - 4820
bbird@utah.gov

RE: White Mesa Mill 2012 Annual Subpart W Compliance Report

Dear Mr. Bird:

The 2012 Annual Subpart W Compliance Report for the White Mesa Mill, San Juan County, Utah, discusses certain proposed actions for bringing Tailing Cell 2 into compliance with the 40 C.F.R. Part 61 Subpart W radon flux standard. The licensee, Energy Fuels Resources, Inc. (Energy Fuels), proposed a test involving placement of additional materials on sections of the existing interim cover in order to bring the impoundment back into compliance. If the test is successful, the licensee also proposes to place 1 foot of fill on the existing cover.

According to the Report, the addition of approximately 1 foot of random fill cover (at 80 to 95% compaction) to the current interim cover would be expected to reduce the radon flux—due to the increased radon resulting from further dewatering over approximately the next year—to with the regulatory standard.

Energy Fuels estimates that it would take 2 feet of fill cover to meet the radon emission standard throughout the dewatering process. It appears that the placement of 1 foot of fill would only solve the problem for about a year or so. According to the Energy Fuels' estimates, as dewatering continues, the radon flux would again be greater than the 20 pCi standard. Therefore, the placement of only 1 foot of fill material would be a partial solution, necessitating the placement of additional material sometime in the future in order to comply with the standard.

It is possible that this proposed project would require an amendment to the Energy Fuels' source material license, issued by the Utah Division of Radiation Control (DRC).

Uranium Watch requests that the Division of Air Quality (DAQ) provide an opportunity for public comment on any DAQ permitting actions in response to the Energy Fuels' request for a test and placement additional fill material.

QUESTIONS

What is the current status of the Energy Fuels' request?

Does the DAQ intend to solicit public comment on the Energy Fuels' request?

Has the DRC confirmed that the test and placing additional material on the existing interim cover will not be prejudicial to or inconsistent with the final approved cover design currently under review, and will be credited toward the final cover design?

Is the DAQ consulting with the Environmental Protection Agency on this proposal?

Please keep me informed of any DAQ decisions and actions regarding this matter.
Thank you for your response to this inquiry.

Sincerely,

Sarah Fields
Director

cc: Timothy Andrus, DAQ
Jay Morris, DAQ